

optical code. It is important to emphasize that the same two-dimensional scanning pattern relied on for scanning the optical code also produces the region of apparent greater brightness.

The examiner's references, either alone or in combination, fail to suggest this feature of the invention. The examiner concedes that Nakazawa is silent on any sort of region of greater brightness for alignment. But the examiner points to Batterman as supposedly teaching the region of greater brightness. But Batterman relies on a separate light beam (a "spotting beam") different from the scanning beam for assisting alignment. So, rather than suggesting the invention, Batterman actually teaches away from it.

Accordingly, claim 1 is in condition for allowance.

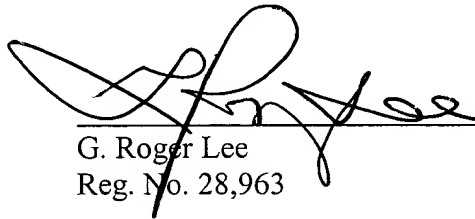
The remaining claims are all properly dependent on one or more of the independent claims, and thus allowable therewith. Each of the dependent claims adds one or more further limitations that enhance patentability, but those limitations are not presently relied upon. For that reason, and not because applicants agree with the examiner, no rebuttal is offered to the examiner's reasons for rejecting the dependent claims.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

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